

EXHIBIT 49

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

COALITION FOR TJ,

Plaintiff,

v.

FAIRFAX COUNTY SCHOOL BOARD,

Defendant.

No. 1:21-cv-00296-CMH-JFA

PLAINTIFF’S FED. R. CIV. P. 26(a)(1) INITIAL DISCLOSURES

In accordance with Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure, Plaintiff Coalition for TJ makes the following disclosures:

(i) Rule 26(a)(1)(A)(i)

“The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless that use would be solely for impeachment”:

Response:

As members of the Plaintiff organization’s leadership team, Asra Nomani, Glenn Miller, and Himanshu Verma may have discoverable information related to the Coalition for TJ’s Fourteenth Amendment interests in this case. Defendant and the high-level Fairfax County Public

Schools employees listed below may have discoverable information related to the development, purpose, interpretation, and implementation of the challenged TJ admissions policy.

1. Asra Nomani, who may be contacted through counsel for the Coalition for TJ:

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(ii) Rule 26(a)(1)(A)(ii)

“A copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment”:

Response:

Plaintiff may use the following documents:

1. FCPS, *Advanced Academic Programs (AAP)*, <https://www.fcps.edu/academics/academic-overview/advanced-academic-programs>
2. FCPS, *Advanced Academic Level IV Program Locations*, <https://www.fcps.edu/academics/elementary-school-academics-k-6/advanced-academics/advanced-academic-level-iv-center>
3. FCPS, *School Profile, Carson Middle School*, http://schoolprofiles.fcps.edu/schlprfl/f?p=108:13::NO::P0_CURRENT_SCHOOL_ID,P0_EDSL:171,0
4. FCPS, *School Profile, Kilmer Middle School*, http://schoolprofiles.fcps.edu/schlprfl/f?p=108:13::NO::P0_CURRENT_SCHOOL_ID,P0_EDSL:071,0
5. FCPS, *School Profile, Rocky Run Middle School*, http://schoolprofiles.fcps.edu/schlprfl/f?p=108:13::NO::P0_CURRENT_SCHOOL_ID,P0_EDSL:251,0
6. FCPS, *Full-Time Advanced Academic Program, Grades 3-8 (Level IV)*, <https://www.fcps.edu/academics/elementary-school-academics-k-6/advanced-academics/full-time-advanced-academic-program>
7. FCPS, *Advanced Academic Level IV School Assignments*, <https://www.fcps.edu/academics/elementary-school-academics-k-6/advanced-academics/advanced-academic-level-iv-school>
8. FCPS, *About Us*, <https://www.fcps.edu/about-fcps>
9. US News & World Report, <https://www.usnews.com/education/best-high-schools/virginia/districts/fairfax-county-public-schools/thomas-jefferson-high-school-for-science-and-technology-20461>
10. FCPS, *School Profile, Thomas Jefferson High School for Science and Technology*, http://schoolprofiles.fcps.edu/schlprfl/f?p=108:13::NO::P0_CURRENT_SCHOOL_ID,P0_EDSL:300,0
11. FCPS, Press Release, *TJHSST Offers Admission to 486 Students* (June 1, 2020), <https://www.fcps.edu/news/tjhsst-offers-admission-486-students>

12. Virginia Dep't of Education, *Academic Year Governor's School Programs*, https://www.doe.virginia.gov/instruction/governors_school_programs/academic_year/index.shtml
13. 1985 Fairfax County Profile, Fairfax County Office of Research and Statistics, https://www.fairfaxcounty.gov/demographics/sites/demographics/files/assets/fairfaxcountypfiles/profile_1985.pdf
14. Demographic Reports 2019, County of Fairfax, Virginia, <https://www.fairfaxcounty.gov/demographics/sites/demographics/files/assets/demographicroports/fullreport.pdf>
15. FCPS, TJ Admissions Merit Lottery Proposal School Board Work Session Sept. 15, 2020, [https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BTGKX652F413/\\$file/TJHSST%20Admissions%20Merit%20Lottery%20Proposal.pdf](https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BTGKX652F413/$file/TJHSST%20Admissions%20Merit%20Lottery%20Proposal.pdf)
16. Minutes, Fairfax County School Board, Oct. 6, 2020, [https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BWXV9A7A33D8/\\$file/10-06-20%20EWS%20FINAL.pdf](https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BWXV9A7A33D8/$file/10-06-20%20EWS%20FINAL.pdf)
17. Agenda Item Details – TJ Admissions, Fairfax County School Board, Oct. 6, 2020, <https://go.boarddocs.com/vsba/fairfax/Board.nsf/goto?open&id=BRDK8M4D80B8>
18. Minutes, Fairfax County School Board, Oct. 8, 2020, [https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BXLT2W693F5A/\\$file/10-08-20%20ERM%20FINAL.pdf](https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BXLT2W693F5A/$file/10-08-20%20ERM%20FINAL.pdf)
19. Agenda Item Details – Thomas Jefferson High School for Science and Technology (TJHSST) Admissions, Oct. 8, 2020, <https://go.boarddocs.com/vsba/fairfax/Board.nsf/goto?open&id=BRDK8M4D80B8>
20. Minutes, Fairfax County School Board, Dec. 17, 2020, [https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BY5JH34D3388/\\$file/12-17-20%20ERM%20FINAL.pdf](https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BY5JH34D3388/$file/12-17-20%20ERM%20FINAL.pdf)
21. FCPS, News Release, *School Board Chooses Holistic Review as New Admissions Policy for TJHSST* (Dec. 18, 2020), https://www.fcps.edu/news/school-board-chooses-holistic-review-new-admissions-policy-tjhsst?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=
22. *Retired FCPS Teacher Singles Out Students from India and Calls Parents “Ravenous,”* YouTube (Sept. 23, 2020), https://www.youtube.com/watch?v=0rWdIXuYFqA&ab_channel=AsraNomani
23. Ann N. Bonitatibus, Message from the Principal, June 7, 2020, <https://content.govdelivery.com/accounts/VAEDUFCPS/bulletins/28f8d9f>
24. Fairfax County NAACP, Town Hall on Systemic Racism, Facebook (Aug. 5, 2020), https://www.facebook.com/watch/live/?v=650397622538856&ref=watch_permalink
25. *Virginia Education Secretary Compares Test Prep to Using Illegal Performance Enhancing Drugs*, from Listening Session with TJ Students held, YouTube Sept. 8, 2020, (Sept. 13, 2020), https://www.youtube.com/watch?v=w5RcAhRyB6g&ab_channel=AsraNomani
26. FCPS School Board Work Session – 9-15-2020 – TJ Admissions Review, YouTube (Sept. 15, 2020),

https://www.youtube.com/watch?v=n3FS9TY0lcg&list=PLSz76NCRDYQF3hPS2qS2SGEcoO4_Yd7Z&index=52&ab_channel=FairfaxCountyPublicSchools

27. FCPS School Board Work Session TJ Admissions 10-6-20, YouTube (Oct. 6, 2020), https://www.youtube.com/watch?v=FgTgmNYUw88&ab_channel=FairfaxCountyPublicSchools
28. FCPS, *Thomas Jefferson High school for Science and Technology: Improving Admissions Processes*, November 2020, [https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BWE23Y004896/\\$file/TJ%20White%20Paper%2011.17.2020.pdf](https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BWE23Y004896/$file/TJ%20White%20Paper%2011.17.2020.pdf)
29. FCPS, *TJHSST Offers Admission to 550 Students; Broadens Access to Students Who Have an Aptitude for STEM*, June 23, 2021, <https://www.fcps.edu/news/tjhsst-offers-admission-550-students-broadens-access-students-who-have-aptitude-stem>

(iii) Rule 26(a)(1)(A)(iii)

“A computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered”:

Response: None

(iv) Rule 26(a)(1)(A)(iv)

“[F]or inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgement in the action or to indemnify or reimburse for payments made to satisfy the judgment”:

Response: None

Dated: June 30, 2021.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of June, 2021, I caused a copy of the foregoing to be delivered via electronic mail to the following counsel for Defendant:

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